

Affidavit

I am a Captain with the Choctaw Police Department of the Mississippi Band of Choctaw Indians. The following information is based on my investigation of Danny Wayne Cotton, Sr., a Choctaw indian who resides on Tribal lands located at Crystal Ridge, located in Winston, County, Mississippi.

On December 20, 2015, Danny Wayne Cotton, Sr., a Choctaw indian, did engage in a sexual act with another person, also a Choctaw indian, being contact between his mouth and the other person's vulva, the other person being incapable of appraising the nature of the conduct and physically incapable of declining participation in and communicating unwillingness to engage in that sexual act. Such conduct is made illegal pursuant to Title 18, United States Code, Sections 1153, 2242(2), and 2246(2)(B).

On December 20, 2015 Danny Wayne Cotton, Sr., engaged in a sexual act with the person at their residence located on Lagoon Road, at Crystal Ridge in Winston, County, Mississippi. Cotton's wife and mother of the victim was not at the residence when the act occurred. When the victim's mother arrived at the residence, the victim, a 23-year old autistic female, indicated to her mother that she had been touched inappropriately by Cotton.

Tribal officers arrested Cotton on December 21, 2015. Cotton, after being advised of his Miranda rights, admitted that he had "kissed her pussy."

Sworn to, this 22<sup>nd</sup> day of December, 2015.

  
Robert L. York, Sr., Captain, Choctaw Police Dept.

  
S. Allan Alexander, United States Magistrate Judge